

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MEDICRAFT, *et al.*,

Plaintiffs,

v.

STATE OF WASHINGTON, *et al.*,

Defendants.

Case No. C21-1263-BJR

MINUTE ORDER

The following Minute Order is made at the direction of the Court, the Hon. Michelle L. Peterson, United States Magistrate Judge:

The Parties are advised that live testimony will not be required at the July 30, 2024, hearing.

Furthermore, the Parties should be prepared to discuss whether the Court should enter judgment against Defendant King when the merits of Plaintiffs' claims are still being contested by remaining defendants. *See* Fed. R. Civ. P. 54(b); *Neilson v. Chang (In re First T.D. & Inv., Inc.)*, 253 F.3d 520, 531 (9th Cir. 2001) (citing *Frow v. De La Vega*, 82 U.S. 552 (1872)); *see also Garamendi v. Henin*, 683 F.3d 1069, 1082–83 (9th Cir. 2012) (“[I]t would be ‘incongruous and unfair’ to allow a plaintiff to prevail against defaulting defendants on a legal theory rejected

1 by a court with regard to an answering defendant ‘in the same action.’” (quoting *Neilson*, 253  
2 F.3d at 532)).

3 Finally, the Parties are advised that all requests for damages and attorney’s fees must  
4 comply with both Rule 55(b)(2) and LCR 55(b).

5 Dated this 29th day of July, 2024.

6 Ravi Subramanian

Clerk of Court

7  
8 By: Tim Farrell

Deputy Clerk